IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 760 of 2005

Between:

S.Krupanidi S/o. Late Gajjala Naidu

Aged 52 yrs R/o. R.P.Agraharam village,

Renigunta Mandal, Chittoor district

Rep by its G.P.A. S.Jagan Mohan Rao petitioner

AND

1.. Chief Commissioner of Land Revenue,

Government of A.P., Nampally Station Road,

Hyderabad

2.. Joint Collector, Chittoor district, Chittoor

3.. Revenue Divisional Officer, Tirupati, Chittoor district

4.. Mandal Revenue Officer, Renigunta, Chittoor dist

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ , order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 1st respondent in not disposing of the

Revision filed by the petitioner on 25-9-1989 as illegal, null, void; and consequently direct the 1st respondent to dispose of the petitioner's revision dated 25-9-1989 forthwith;

Counsel for the Petitioner:MR.R.V.CHALAPATHI

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the first respondent in not disposing the revision filed by the petitioner on
25-9-1989. The petitioner claims to be in occupation and enjoyment of land in an extent of Ac.2.33 cents in Survey Nos.181/9, 10, 13, 19 and 20, R.Mallavaram Revenue village, Chittoor district. It is also stated that the 4th respondent issued D-form patta in favour of the petitioner vide proceedings R.Dis No.328/85 dated 15-10-1985 on payment of total sum of Rs.1473/- towards cost of the land and additional sum of Rs.22-50 towards stone value. It is stated that one Rama Murthy along with others has encroached a small extent of land and raised a thatched houses therein and filed an appeal before the 3rd respondent. The said appeal was allowed by order dated 28-7-1986 observing that assignment in favour of petitioner shall be confirmed excluding the portion wherein thatched houses were constructed. Questioning the said order, the petitioner filed a revision before the second respondent/Joint Collector, and the same was dismissed by order dated 29-3-1989. Questioning the said order, the petitioner further preferred a revision together with an interlocutory petition to the first respondent /Chief Commissioner of Land Revenue

on 25-9-1989. Since, no orders were passed, the petitioner filed W.P.No.15163 of 1989 before this Court and the same was disposed of by order dated 26-10-1989, with the following direction.

> "Until the revision petition is disposed of by the Commissioner of Land Revenue, the petitioner shall not be dispossessed from the land in question in Survey No.181/18 of R.Mallavaram Revenue village to the extent of Ac.0-48 cents."

Now the grievance of the petitioner is that though he has approached the first respondent and made number of representations for disposal of the revision petition or to intimate the date of hearing, no action is being taken thereon. It is also stated that the petitioner has even requested for furnishing of a copy of the orders, if any passed in the revision, but in vain. It is further stated that since no response is forthcoming from the first respondent, the petitioner has filed a petition on 18-1-2005 before the first respondent requesting to fix an early date of hearing and intimate the same to the him and if the revision petition is already disposed of, to furnish a copy of such order. Hence, the present writ petition seeking a direction for direction to dispose of the revision petition pending before the first respondent.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the admission stage.

The petitioner alleges that the revision petition filed by him against the order dated 29-3-1989 is pending consideration before the first respondent since, 1989 and that the petitioner is not provided with information as regards pendency or disposal of the said revision petition. In such circumstances, I deem it appropriate to dispose of the writ petition with the following direction;

If the revision petition filed by the petitioner on 25-9-1989 is pending, the first respondent is directed to hear the matter expeditiously and pass appropriate orders in accordance with law. Till the disposal of the revision petition, the subject land shall not be allotted to third parties. If the revision petition is already disposed of, the first respondent shall furnish a copy of the order to the petitioner within a period of four weeks from the date of receipt of copy of this order.

Subject to above observation, the writ petition stands disposed of. No costs.

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N.V.RAMANA,J

27-1-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.. The Chief Commissioner of Land Revenue,

Government of A.P., Nampally Station Road,

Hyderabad

2.. The Joint Collector, Chittoor district, Chittoor

3.. The Revenue Divisional Officer, Tirupati, Chittoor

4.. The Mandal Revenue Officer, Renigunta, Chittoor dist

5.2CCs to Government Pleader for Revenue, High Court buildings, Hyderabad (OUT)

6.2CD copies

7.2CCs to